

**FILED**

OCT 19 2016

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
DEPUTY CLERK

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TEXAS EASTERN OVERSEAS, INC.  
16 [Additional Attorneys Listed on Signature Page]

17  
18 **UNITED STATES DISTRICT COURT**  
19 **EASTERN DISTRICT OF CALIFORNIA**

20 AMERIPRIDE SERVICES INC., a Delaware corporation, Case No. 2:00-cv-00113 MCE-DB  
21 Plaintiff,  
22 vs.  
23  
24 VALLEY INDUSTRIAL SERVICES, INC., a former California Corporation, et al. STIPULATION AND ORDER CONCERNING ADDITIONAL RESPONSE COSTS DIRECTLY INCURRED BY AMERIPRIDE SERVICES INC.  
25 Defendants.  
26 Trial Date: October 17-19, 2016  
Time: 9:00 a.m.  
Courtroom: 7  
Judge: Hon. Morrison C. England, Jr.  
27 Complaint Filed: January 20, 2000  
28 AND CONSOLIDATED ACTION AND CROSS AND COUNTER-CLAIMS.

1 Defendant TEXAS EASTERN OVERSEAS, INC. ("TEO") and Plaintiff  
2 AMERIPRIDE SERVICES INC. ("AmerPride"), by and through their respective counsel,  
3 stipulate as follows:

4 In order to avoid the unnecessary introduction of voluminous documents and to  
5 streamline the trial process, the Parties stipulate to the following facts for the limited and  
6 sole purposes of this trial, and not to be used for any other purpose.

## **STIPULATION**

8           1. AmeriPride has directly incurred \$173,463.08 in additional investigation and  
9 remediation costs after the costs addressed in the Court's August 1, 2016 Order (ECF No.  
10 1052) through August 2016. These costs are identified on Exhibit 1 to this stipulation.

11        2. For the purposes of this action only, the costs described in Paragraph 1 are  
12 recoverable under Section 107(a)(4)(B) of the Comprehensive Environmental Response,  
13 Compensation, and Liability Act, 42 U.S.C. § 9607(a)(4)(B).

14       3. There are investigation and cleanup costs and oversight costs for which  
15 AmeriPride seeks recovery that are not included in this stipulation. AmeriPride reserves  
16 all of its rights in connection with such costs. TEO reserves all of its rights to object to  
17 such costs.

18 | Date: October 14, 2016 BASSI, EDLIN, HUIE & BLUM LLP

By: /s/ Fred M. Blum

FRED M. BLUM

FRIN K POPPI FR

**Attorneys for Defendant**

TEXAS EASTERN OVERSEAS, INC.

1 Date: October 14, 2016

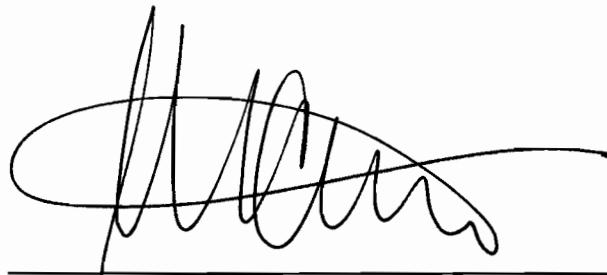
PERKINS MANN & EVERETT, APC

2  
3 By: /s/ Lee N. Smith  
4 LEE N. SMITH  
5 Attorneys for Plaintiffs  
6 AMERIPRIDE SERVICES INC.  
7

8 IT IS SO ORDERED.  
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10 Date: 10.19.16

11 **ORDER**



12 HON. MORRISON C. ENGLAND, JR.  
13 UNITED STATES DISTRICT JUDGE  
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